

## AGENDA

Dan Buckshi  
County Administrator



## BOARD OF SUPERVISORS

Frank R. Mecham, 1<sup>st</sup> District  
Bruce Gibson, Vice-Chairperson, 2<sup>nd</sup> District  
Adam Hill, 3<sup>rd</sup> District  
Vacant, 4<sup>th</sup> District  
Debbie Arnold, 5<sup>th</sup> District

Tuesday, October 08, 2013

CONSENT AGENDA

9:00 AM

REVIEW AND APPROVAL

PRESENTATION

PUBLIC COMMENT PERIOD

BOARD BUSINESS

HEARINGS

CLOSED SESSION

RECESS

AFTERNOON SESSION

1:30 PM

REPORT ON CLOSED SESSION

PRESENTATIONS

BOARD BUSINESS

HEARINGS

ADJOURNMENT

5:00 PM

- The Board of Supervisors' weekly agenda and staff reports are available at the following website: [www.slocounty.ca.gov](http://www.slocounty.ca.gov). Packets are also available at the County Government Center and may be viewed on-line at the Atascadero, Arroyo Grande, Paso Robles, Nipomo, Morro Bay, SLO City/County Libraries and the SLO Law Library.
- All persons desiring to speak on any Board item, including the Consent agenda, Closed Session or during the general public comment period are asked to fill out a "Board Appearance Request Form" and submit to the Clerk of the Board *prior* to the start of the Board item. Each individual speaker is limited to a MAXIMUM of three (3) minutes.
- Please refer to the information brochure located in the back and outside of the Board Chambers for additional information regarding accommodations under the Americans with Disabilities Act, supplemental correspondence, and general rules of procedure.

9:00 FLAG SALUTE

### CONSENT AGENDA – REVIEW AND APPROVAL

The items listed on this portion of the agenda are scheduled for consideration as a group. The staff recommendations will be approved as outlined within the staff report. Any Supervisor may request an item be withdrawn from the Consent Agenda to permit discussion or change the recommended course of action for an item.

Consent Agenda - Board of Supervisors Items:

1. Request to approve an agreement with the Nipomo Chamber of Commerce allocating \$2,000 from District Three (on behalf of District Four) Community Project Funds – Fund Center #106 to be used for expenses associated with holding the annual October Festival on October 12th and 13th, 2013.

Consent Agenda - County Fire Items:

2. Request to approve the FY 2013-14 annual agreement (Clerk's File) for cooperative fire protection services with the California Department of Forestry and Fire Protection (CAL FIRE).

Consent Agenda - General Services Agency Items:

3. Request to create a new capital project to update the Airport Layout Plan for the Oceano County Airport and authorize a budget adjustment in the amount of \$110,924 from a Federal Aviation Administration (FAA) grant and \$12,325 from the Airport Enterprise Fund. District 4.
4. Request to create a new capital project to replace the Cayucos 1st Street beach access way, approve a resolution accepting mitigation funds totaling \$72,312.50 from the California Coastal Commission, and authorize a budget adjustment allocating the mitigation funding to the project. District 2.
5. Request to approve the Consent to Assignment of the County Courthouse Annex Building Food and Beverage contract to Neighborhood Neighbor's Foods, Inc. for the cafe concession at 1050 Monterey Street in San Luis Obispo and approve the First Amendment to County Courthouse Annex Building Food and Beverage Concession contract.

Consent Agenda - Health Agency Items:

6. Request to approve a FY 2013-14 renewal contract (Clerk's File) with Dignity Health d.b.a. French Hospital Medical Center in an amount not to exceed \$383,405 to provide ancillary services for the County's Behavioral Health Psychiatric Health Facility.
7. Request to approve a renewal contract with Good Samaritan Shelter, Inc. for FY 2013-14 in an amount not to exceed \$30,000 to provide substance abuse detoxification services to men and women and alcohol and drug-free housing that offers counseling services for pregnant and parenting women and their children.

Consent Agenda - Human Resources Items:

8. Submittal of a resolution approving: 1) the 2013-2015 Memorandum of Understanding (MOU) with the District Attorney Investigators' Association (DAIA), Bargaining Unit 06, District Attorney Investigators' Unit and the District Attorney Investigators' Supervisory Unit; and 2) amendments to the San Luis Obispo County Employees Retirement Plan Appendices.

Consent Agenda - Planning & Building Items:

9. Submittal of a resolution correcting the Parcel Map Number for Parcel Map CO 07-0143 (Mary Linthicum). District 4.

Consent Agenda - Probation:

10. Request to approve a contract for replacement of the Probation Department's collection case management system with a Commercial Off the Shelf (COTS) software package and a corresponding budget adjustment in the amount of \$281,292 in Fund Center 139 – Probation.

Consent Agenda - Public Works Items:

11. Submittal of a resolution authorizing the Director of Public Works to make application of transportation capital improvement project funding to the San Luis Obispo Council of Governments for eligible Capital Improvement Projects. All Districts.
12. Submittal of a resolution approving the Branch Mill Road Bridge Replacement Project, adopting the mitigated negative declaration, and directing staff to proceed with associated project development activities. District 4.
13. Submittal of a resolution to ratify the existing Master Agreement with the State of California for State Funded Projects and authorize the Director and Deputy Director of Public Works to accept program supplement agreements. All Districts.

Consent Agenda - Sheriff - Coroner Items:

14. Request to approve the use of Federal Asset Forfeiture Funds in the amount of \$117,000 to purchase a replacement vehicle for use by the Stolen Vehicle Task Force Investigator, purchase a replacement voice recording system and to fund repairs to the Sheriff's firing range; authorize corresponding budget adjustments in Fund Center 136 – Sheriff-Coroner and Fund Center 407 Fleet Services; and amend the Sheriff-Coroner's Fixed Asset List to add the vehicle and the voice recording system.

Presentation:

15. Submittal of a resolution recognizing October 6-12, 2013 as "National 4-H Week" and approval to fly the 4-H flag over the Government Center during "National 4-H Week."

Public Comment Period:

16. The general public comment period is intended to provide an opportunity for members of the public to address the Board on matters within the Board's purview that are not scheduled on the current agenda. Individuals interested in speaking are asked to fill out a "Board Appearance Request Form" and submit it to the Clerk of the Board prior to the start of general public comment. When recognized by the Chair, each individual speaker may address the Board and is limited to a MAXIMUM of three (3) minutes or a reasonable period of time as determined by the Board Chairperson.

Board Business:

17. Consideration of a status report by Mike Miller of the Ferguson Group on Federal lobbying activities being undertaken on behalf of the County.

Hearing:

18. Hearing to consider a resolution amending the 2010, 2011, and 2012 Action Plans to reallocate Community Development Block Grant (CDBG) funds for the City of Arroyo Grande.

Board Business:

19. Letter transmitting plans and specifications (Clerk's File) for the Los Osos Wastewater Project, Water Recycling Facility, Los Osos for Board approval and advertisement for construction bids and submittal of a resolution making findings pursuant to Public Contract Code Section 3400 designating product requirements. The recommended bid opening date is Thursday November 21, 2013. District 2.

Closed Session Items:

20. I. PENDING LITIGATION (Government Code, section 54956.9.) It is the intention of the Board to meet in closed session concerning the following items:
  - A. Conference with Legal Counsel-Existing Litigation (Government Code, section 54956.9(a).) (Formally initiated) 1. In re Los Osos Community Services District (Bankruptcy); 2. Nipomo CSD v. County of San Luis Obispo.
  - B. Conference with Legal Counsel-Anticipated Litigation (Government Code, section 54956.9.) 3. Significant exposure to litigation (Government Code, section 54956.9(b).) No. of cases 2. Facts and circumstances not known to potential plaintiff which indicate significant exposure to litigation.
- II. CONFERENCE WITH LABOR NEGOTIATOR (Gov. Code ' 54957.6.)
  - A. It is the intention of the Board to meet in closed session to have a conference with its Labor Negotiator Tami Douglas-Schatz concerning the following: Name of employee organizations are: 4. Deputy Sheriff's Association; 5. DAIA; 6. DCCA; 7. SLOGAU; 8. Sheriffs' Management; 9. SLOCPPOA; 10. SLOCEA-Public Services, Supervisors, Clerical.
  - B. It is the intention of the Board, sitting as the Governing Board of the San Luis Obispo County In Home Support Services Public Authority, to meet in Closed Session to have a conference with its Labor Negotiator concerning the following: Name of employee organization: 11. United Domestic Workers.
- III. PERSONNEL (Gov. Code, § 54957.) It is the intention of the Board to meet in closed session to: 12. Consider Public Employee Appointment for the Position of Director of Building/Planning.

**RECESS****1:30 REPORT ON CLOSED SESSION**Presentations:

- 21. Submittal of a resolution honoring James B. Orton upon his retirement after thirty three years of service to the County of San Luis Obispo.
- 22. Submittal of a resolution recognizing and supporting the mission of the California Arts Council by proclaiming October 2013 as "National Arts and Humanities Month" and October 5, 2013 as "Passport to the Arts Day" in San Luis Obispo County.

Board Business:

- 23. Request to provide direction to staff on release of the deed restriction for Port San Luis Harbor District's downtown parking lot at First and San Francisco Streets in Avila Beach District 3.

Hearings:

- 24. Hearing to consider appeals by Sean Shealy and Brian LoConte of the Planning Commission's approval of (1) a Development Plan/Coastal Development Permit/Variance for the County Parks' Pirates Cove parking lot and trail project located at the end of Cave Landing Road, east of the intersection of Avila Beach Drive and Cave Landing Road in the community of Avila Beach and (2) adoption of the Mitigated Negative Declaration prepared for this project pursuant to the California Environmental Quality Act. District 3.

- 25. WEEKLY REPORT OF ENVIRONMENTAL DOCUMENTS AVAILABLE FOR REVIEW

The purpose of the environmental review process is to provide information about the environmental effects of the actions and decisions made by the County, so that environmental considerations become a part of the decision making process. The following is a summary of the most recent determinations made by the County's Environmental Coordinator. The purpose of this listing is to notify the public of pending actions, which may affect the environment of San Luis Obispo County.

You are invited to participate in this process by reviewing and providing comments on the recommendations of the Environmental Coordinator. Your comments should be in writing and should be delivered to: Ellen Carroll, Environmental Coordinator, Department of Planning and Building, 976 Osos Street, Room 300, San Luis Obispo, CA 93408-2040. For more information about the environmental review process, please write to the address above, call the Environmental Division of the Department of Planning and Building at (805) 781-5600, or review the environmental determination and other information on our website located at [www.sloplanning.org](http://www.sloplanning.org).

## Proposed Negative Declarations

A Negative Declaration is issued for projects that would not result in significant effects on the environment. In many cases, the project applicant has added mitigation measures to the project to reduce environmental impacts in order to qualify for a Negative Declaration. If you disagree with the issuance of a proposed Negative Declaration, you may provide comments or file a Request for Review (appeal) of the Negative Declaration. Requests for Review must be filed within two weeks of the date that the proposed Negative Declaration is posted and must address only environmental issues. There is a fee for the request. If you would like more information about this process, please contact the Environmental Coordinator.

For Week of October 3, 2013

### Guadalupe Area.

Guadalupe Cooling Minor Use Permit. Request by Guadalupe Cooling Company and AT&T for a Minor Use Permit to allow for the construction and operation of an unmanned wireless communications facility consisting of 12 panel antennas and 12 Remote Radio Units (RRUs) mounted at a maximum height of 29 feet within the cylinder portion of a 34-foot tall artificial water tank. Also included are ground-mounted equipment on a 20' x 25' concrete pad, and associated utility trenching. The proposed project would remove an existing facility, consisting of a 30-foot tall monopole with three panel antennas and ground-mounted equipment, located on the same parcel approximately 900 feet south of the proposed artificial water tank. The proposed project would result in the disturbance of approximately 500 square feet on a 20-acre parcel. The proposed project is within the Agriculture land use category. The proposed project is located at 2440 Guadalupe Road, approximately 3,500 feet south of Osos Flaco Lake Road and 2 miles north of the City of Guadalupe (Santa Barbara County), in the rural South County planning area. ED13-058 (DRC2012-00104)

### Cambria Area

Wogu Minor Use Permit/Coastal Development Permit Request by Elijah Wogu for a Minor Use Permit/Coastal Development Permit to allow construction of a two-story, 7,358 square foot single family residence with an 1,000 square foot detached garage and 627 square foot detached workshop. The project will result in the disturbance of approximately 15,000 square feet of a 1.37 acre parcel. The proposed project is within the Residential Single Family land use category. The project is located at 660 Evelyn Court, within the community of Cambria. The site is in the North Coast planning area. ED12-087 (DRC2011-00083)